

Michael R. Lozeau (State Bar No. 142893)  
Richard T. Drury (State Bar No. 163559)  
Douglas J. Chermak (State Bar No. 233382)  
LOZEAU DRURY LLP  
410 12<sup>th</sup> Street, Suite 250  
Oakland, CA 94607  
Tel: (510) 836-4200  
Fax: (510) 836-4205 (fax)  
E-mail: michael@lozeaudrury.com  
doug@lozeaudrury.com

Attorneys for Plaintiffs  
NORTHERN CALIFORNIA RIVER WATCH,  
TEAMSTERS LOCAL 70, and EAST BAY  
ALLIANCE FOR A SUSTAINABLE ECONOMY

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

NORTHERN CALIFORNIA RIVER WATCH,  
a non-profit corporation; TEAMSTERS  
LOCAL 70, a labor organization; and EAST  
BAY ALLIANCE FOR SUSTAINABLE  
ECONOMY, a non-profit organization,

Plaintiffs,

v.

OAKLAND MARITIME SUPPORT  
SERVICES, INC., a corporation; WILLIAM  
ABOUDI, an individual; and JORGE  
GONZALEZ RIVERA d.b.a. CHRISTIAN  
BROTHERS TRUCK SERVICES, an  
individual; and REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND, a local public  
agency;

Defendants.

Case No.: 4:10-cv-3912 CW-JSC

**STIPULATION REQUESTING A  
SETTLEMENT CONFERENCE  
BEFORE A MAGISTRATE JUDGE;  
ORDER TO EXTEND DISCOVERY  
DEADLINES AND TRIAL DATE**

Trial Date: June 3, 2013  
Courtroom: 2, 4<sup>th</sup> Floor

Hon. Judge Claudia Wilken

WHEREAS, on June 12, 2012, pursuant to the parties' Stipulation and [Proposed] Order  
to Extend Discovery Deadlines and Trial Date, the Court issued an order setting forth new  
deadlines for discovery matters, a new pre-trial conference, and a new trial date;

WHEREAS, the parties have made several rounds of revisions to a draft settlement  
agreement and have made significant progress in reaching an agreement in lieu of litigation;

WHEREAS, on September 28, 2012, the parties jointly filed a notice of need for ADR phone conference and believe that a settlement conference with a Magistrate Judge would greatly assist the parties to reach a settlement;

WHEREAS, the parties believe it would be in their mutual best interest to extend all deadlines and the trial date in this matter an additional three months in order to allow the parties to complete the settlement discussions and to the extent it becomes necessary, complete the ongoing discovery and;

WHEREAS, the parties believe that such an extension would conserve the resources of the court;

NOW THEREFORE, the parties hereby request that the Court assign this case to a Magistrate Judge for a settlement conference within the next 30-days, or as soon thereafter is convenient for the Court, and request that the Court establish the following new discovery deadlines, pre-trial conference date, and trial date:

<u>Deadline/Date</u>	<u>Date Set in 6/12/12 Order</u>	<u>New Date</u>
Date of Next CMC	2/7/13	5/9/13
Completion of fact discovery	1/18/13	4/19/13
Expert reports	10/19/12	1/18/13
Rebuttal	11/2/12	2/15/13
Complete Expert Discovery	12/4/12	3/15/13
Case-dispositive motions	2/7/13	5/8/13
Pre-trial conference	5/22/13	8/21/13
5-day trial	6/3/13	9/2/13

///

///

///

Dated: October 10, 2012

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*/s/ Michael R. Lozeau*

---

MICHAEL R. LOZEAU  
Attorney for Plaintiffs

Dated: October 10, 2012

*/s/ Meredith E. Brown*

---

(as authorized on 10/10/12)  
MEREDITH E. BROWN  
Attorney for Defendants  
OAKLAND MARITIME SUPPORT  
SERVICES, INC. and WILLIAM ABOUDI

Dated: October 10, 2012

*/s/ Robert Doty*

---

(as authorized on 10/10/12)  
ROBERT DOTY  
Attorney for Defendant  
REDEVELOPMENT AGENCY OF THE  
CITY OF OAKLAND

**PURSUANT TO STIPULATION**, it is hereby ordered that:

1. This case shall be referred to a Magistrate Judge for a settlement conference to occur within 30 days.
2. The trial date and other case management dates are extended as set forth above in the Parties' stipulation, **except the case dispositive motions will be held on Thursday, May 9, 2013, and the 5-day jury trial will begin on Tuesday, September 3, 2013.**

**IT IS SO ORDERED.**

Dated: October 12, 2012

  
Hon. Claudia Wilken  
United States District Judge